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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)

9 Plaintiff,)

10 v.)

3:12-CR-038-LRH-(VPC)

11 JAVIER ZARAGOZA,)

12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on April 10, 2013, defendant JAVIER ZARAGOZA pled guilty to Count
15 Seven of a Eight-Count Third Superseding Criminal Indictment charging him with Distribution
16 of Methamphetamine, in violation of Title 21, United States Code, Section 841(a)(1). Third
17 Superseding Indictment, ECF No. 70.

18 This Court finds defendant JAVIER ZARAGOZA agreed to the forfeiture of the property set
19 forth in Forfeiture Allegation of the Third Superseding Criminal Indictment. Third Superseding
20 Indictment, ECF No. 70; Change of Plea, ECF No. 136; Plea Agreement, ECF No. 140.

21 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America
22 has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Third
23 Superseding Criminal Indictment and the offense to which defendant JAVIER ZARAGOZA pled
24 guilty.

25 The following asset is subject to forfeiture pursuant to Title 21, United States Code, Section
26 853:

1 1. United States Currency in the amount of \$13,738.00 seized on April 4, 2012,
2 from the premises located at 10064 Endfield Way, San Jose, California, as part
3 of the execution of a federal search warrant ("property").

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
7 United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
9 JAVIER ZARAGOZA in the aforementioned property is forfeited and is vested in the United
10 States of America and shall be safely held by the United States of America until further order of
11 the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
13 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
14 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
15 the time under the applicable statute when a petition contesting the forfeiture must be filed, and
16 state the name and contact information for the government attorney to be served with the petition,
17 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
19 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
20 Virginia Street, 3rd Floor, Reno, NV 89501.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
22 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
23 following address at the time of filing:

24 Greg Addington
25 Assistant United States Attorney
 100 West Liberty Street, Suite 600
26 Reno, NV 89501

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
2 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
3 following publication of notice of seizure and intent to administratively forfeit the above-described
4 property.

5 DATED this 22nd day of April, 2013.



7 LARRY R. HICKS
8 UNITED STATES DISTRICT JUDGE
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